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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/042,502 | 01/08/2002 | Seikei Lee | 22738.00500 | 6739 |

7590

02/04/2005

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EXAMINER

ARTHUR JEANGLAUDE, GERTRUDE

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/042,502

Applicant(s)

LEE ET AL.

Examiner

Gertrude Arthur-Jeanglaude

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/8/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 40902.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-40 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-37 of copending Application No. 10/042,485. Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to one of ordinary skill in the art to output information from and to the other attendant electronic equipments and the output electronic equipment via the conference management server since it performs the same function for the network conferencing when outputting the electronic equipment via the communication network.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. (U.S. Patent 5,852,656) in view of Itaru et al. (High-fidelity Visual Telecommunication and Tele-collaboration system using ATM networks August 1995).

As to claim 1, Sato et al. disclose a network conferencing system as shown in Fig.2 in which an output electronic equipment (personal computers) for presenting the contents of presentation, a generating electronic equipment for generating the contents of presentation to be presented by the output electronic equipment, a plurality of attendant electronic equipments (2a-2n) operated by users attending a conference, and a conference management server (3) connected with the output electronic equipment and the attendant electronic equipments so as to transmit and receive information to and from the output electronic equipment and the attendant electronic equipments, are connected via a communication network, each of the attendant electronic equipments comprising an information input/output function for inputting and outputting information

from and to the other attendant electronic equipments and the output electronic equipment via the communication network, a presentation function for presenting the contents of presentation by using the output electronic equipment, a presentation contents browsing function for browsing the contents of presentation presented by the presentation function of the other attendant electronic equipments using the output electronic equipment (See Fig.2), an authentication function (identification information) (See abstract) for carrying out authentication of attendance of the other attendant electronic equipments at a conference, an equipment management function for managing the state of each electronic equipment connected to the communication network, a display function (See col. 5, lines 5-19) for displaying the other attendant electronic equipments with their attendance authenticated by the authentication function and the electronic equipment managed by the equipment management function, and a proceedings control function for obtaining information for preparing the proceedings by using the contents of presentation presented by the presentation function, Though Sato et al. disclose that the display unit displays an electronic equipment and the display of the generating electronic equipment (See col. 5, lines 5-13, 54-65) wherein the display function is considered to be to separate an area for icon display of the generating electronic equipment and an area for icon display of the output electronic equipment, thus providing the icon display of the generating electronic equipment and the icon display of the output electronic equipment, Sato et al. do not to specifically disclose the attendant are displayed as icons or the display function is to separate an area for icon. In a related art, Itaru et al. disclose a high fidelity visual telecommunication and

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Telecommunication and tele-collaboration system using ATM networks wherein it discloses different icons and separate display as shown in Fig.3. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the display system of Sato et al. with that of Itaru et al. by having separate display and icons in order to improve the user interface.

As to claims 2, 18, 23, 36, Sato et al. disclose the network conferencing system as shown in Fig.2 wherein each of the attendant electronic equipments further has a function to enable selection of the icon displays of the generating electronic equipment and the output electronic equipment and generate a control request for controlling the generating electronic equipment and the output electronic equipment that are selected (See col. 5, lines 51-67-col. 6, lines 1-19).

As to claims 3, 17, 24, 33, 37, Sato et al. disclose the network conferencing system wherein each of the attendant electronic equipments further has a function to enable selection of the icon display of the generating electronic equipment and transmit an attribute display request for displaying attribute information about data generated and stored by the selected generating electronic equipment, to the conference management server, and the display function is to display a list of the attribute information generated by the generating electronic equipment corresponding to the selected icon display and stored in the conference server (See col. 5, lines 51-67; col. 6, lines 45-67).

As to claims 4, 11, 25, Sato et al. disclose the network conferencing system as discussed wherein the display function is to display an available electronic equipment at

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the conference as a selectable icon display and to display an unavailable electronic equipment at the conference as a non-selectable icon display (as attendees and absentees See col. 6, lines 45-67).

As to claims 5-6, 12-13, 19-21, 26-27, 35, Sato et al. disclose the display function is to prepare equipment display information including an icon display of an electronic equipment existing within the communication network, as discussed but fail to specifically disclose that an icon display in a first screen area, and including an icon display of an electronic equipment existing outside the communication network, in a second screen area. In a related art, Itaru et al. disclose a high fidelity visual telecommunication and Telecommunication and tele-collaboration system using ATM networks wherein it discloses different icons and separate display as shown in Fig.3. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the display system of Sato et al. with that of Itaru et al. by having separate display and icons in order to improve the user interface.

As to claims 7, 14, 28, 31-32, Sato et al. disclose the network conferencing system wherein the display function as discussed (See col. 5, lines 5-19, 52-65) is to provide icon displays based on the functions of the output electronic equipment and the generating electronic equipment.

As to claims 8, 15, 22, 29-30, 34, 38, 39, 40, Sato et al. disclose an equipment management method for a network conferencing system and attendant electronic equipment and data presentation as shown in Fig.2 in which an output electronic equipment for presenting the contents of presentation, a generating electronic

equipment for generating the contents of presentation to be presented by the output electronic equipment, a plurality of attendant electronic equipments (2a-2n), and a conference management server (3) connected with the output electronic equipment and the attendant electronic equipments so as to transmit and receive information to and from the output electronic equipment and the attendant electronic equipments, are connected via a communication network, each of the attendant electronic equipments comprising an information input/output function for inputting and outputting information from and to the other attendant electronic equipments and the output electronic equipment via the communication network, a presentation function for presenting the contents of presentation by using the output electronic equipment, a presentation contents browsing function for browsing the contents of presentation presented by the presentation function of the other attendant electronic equipments using the output electronic equipment, an authentication function (identification information; see abstract) for carrying out authentication of attendance of the other attendant electronic equipments at a conference, an equipment management function for managing the state of each electronic equipment connected to the communication network, a display function (See col. 5, lines 5-19) for displaying, as icons, the other attendant electronic equipments with their attendance authenticated by the authentication function and the electronic equipment managed by the equipment management function, and a proceedings control function (3b) for obtaining information for preparing the proceedings by using the contents of presentation presented by the presentation function, wherein when each of the attendant electronic equipments attends a

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conference, an area for icon display of the generating electronic equipment (See col. 5, lines 5-13, 54-65) Though Sato et al. disclose that the display unit displays an electronic equipment and the display of the generating electronic equipment (See col. 5, lines 5-13, 54-65) wherein the display function is considered to be to separate an area for icon display of the generating electronic equipment and an area for icon display of the output electronic equipment, thus providing the icon display of the generating electronic equipment and the icon display of the output electronic equipment, Sato et al. do not to specifically disclose the attendant are displayed as icons or the display function is to separate an area for icon. In a related art, Itaru et al. disclose a high fidelity visual telecommunication and Telecommunication and tele-collaboration system using ATM networks wherein it discloses different icons and separate display as shown in Fig.3. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the display system of Sato et al. with that of Itaru et al. by having separate display and icons in order to improve the user interface.

As to claims 9, 16, Sato et al. disclose the equipment management displays of the generating electronic equipment and the output electronic equipment are selected by the attendant electronic equipment, and a control request for controlling the generating electronic equipment (via controller 3b in Fig. 4) and the output electronic equipment that are selected is generated (See col. 5, lines 51-67-col. 6, lines 1-19).

As to claim 10, Sato et al, disclose the equipment management method wherein the icon display of the generating electronic equipment is selected by the attendant electronic equipment, an attribute display request for displaying attribute information

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about data generated by the selected generating electronic equipment is transmitted from the attendant electronic equipment to the conference management server, the attribute information is transmitted from the conference management server to the attendant electronic equipment, and a list of the attribute information is displayed by the display function of the attendant electronic equipment (See col. 5, lines 51-67- col. 6, lines 45-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

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February 1, 2005

Gertrude A. Jeanglaude
GERTRUDE A. JEANGLAUDE
PRIMARY EXAMINER